III. REMARKS

1. The claims are amended to clarify the feature "some noise", which the Examiner indicates is defined as an unspecified amount or number. Accordingly, Applicant proposes to amend the claims to recite " a fraction of the incoming noise", which Applicant submits is definite and clearly distinguishes the current invention over the cited are of record.

2. Claims 1, 3-12, 14, 16-26, 28-36 and 38-45 are not anticipated by Pastor. The claims recite that the estimate of speech together with a "fraction of the incoming noise" is used to generate a noise reducing filter. This is not disclosed or suggested by Pastor.

In Pastor, the input signal is divided into a number of frames which are to be cleared of noise. (Col. 4, lines 1-3). In block 1, the frames that contain only noise are identified and a noise model is derived from these frames. (Col. 4, lines 34-40.) In block 2, the mean spectral density of the noise and the mean energy of the noise model is determined. Further, block 2 determines a coefficient expressing the dispersion of this noise. (Col. 4, lines 43-55). In block 3, an estimation is made of the spectral density of the current signal frame and the total energy is computed. (Col. 4, lines 56-60). Block 4 is a Weiner filter whose coefficients of filtering are adjusted and then the noise suppressed signal is generated in block 5. In order to surpress "musical noise", the Weiner coeficients are chosen so as to overestimate the amount of noise in the input signal (Col. 7, line 10.) As the Examiner will note from equation 8 (Col. 7, line 15), which describes the Weiner filter coefficient, the only signal components used to determine the Weiner filter coefficients are the spectral density of the signal frame (speech **plus all noise**) and the noise only component that is derived from block 1 (Col. 7, line 62). In other words, the Weiner filter coefficient is determined in accordance with the noise only value and the speech plus all the noise value. On the other hand, Applicant's invention as claimed determines a coefficient on the basis of the noise only
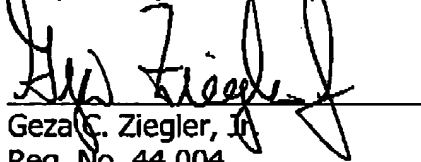
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value and the speech **plus a fraction of the incoming noise.** This is clearly different than what is being done is Pastor.

Pastor makes no reference to an estimate that is made of speech together with a fraction of incoming noise. Therefore, the claims cannot be anticipated. Accordingly, claims 1, 3-12, 14, 16026, 28-36 and 38-45 should be allowable over Pastor.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to (571) 273-8300 the date indicated below, addressed to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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Printed Name: Meaghan Baye

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